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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/640,629	08/17/2000	Yushi Ihara	450100-02651	5141
20999	7590	02/21/2006	EXAMINER	
FROMMERM LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			BRINICH, STEPHEN M	
			ART UNIT	PAPER NUMBER
			2624	

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/640,629	IHARA, YUSHI	
	Examiner	Art Unit	
	Stephen M. Brinich	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 December 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga et al in view of Kim.

Re claims 1, 3, 5-7, 9, & 11-12, Fukunaga discloses a printing arrangement (Abstract; Figures 1A-2, 24-25, & 41; column 21, lines 13-54; column 24, line 13 - column 25, line 5) in which image data obtained from outside is processed into desired still image data under the control of a computer 103 executing a stored program and converted to hard copy output by a printer 102. A printing state information request (GetStatus; column 24, lines 27-29) is generated and sent to the printer via the use of a function control protocol (FCP), specifically, the AV/C protocol, and in response printing state information is generated by the printer and transmitted to the computer.

Communication between the computer and printer are sent over an IEEE 1394 interface (and thus the commands and image data so communicated are necessarily in the form of IEEE 1394 packets).

Re claims 2, 4, 8, & 10, Fukunaga does not specify the sequence in which available commands are transmitted. The recitation of claims 2, 4, 8, & 10 would be met in any case

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where a sequence of commands is transmitted including a GetStatus command followed later by a PrintStart command (column 24, line 32), PrintStop command (column 24, line 34), or image data sequence.

Fukunaga does not disclose the display of printing status or the specific inclusion of a printer jam indication as part of the printing status information. The detection, communication, and display to a user of a printer jam indication is well known in the art as disclosed for example by Kim (column 3, lines 26-30). The use of such a printer jam indication and display in Fukunaga (at the computer 103, which is where the user would be located, as indicated by the fact that computer 103 is the location of the keyboard used for user input) in order to prevent the user from wasting time by sending unprintable jobs and to alert the user of the need to correct the paper jam would be an expedient obvious to one of ordinary skill in the art.

Therefore, it would have been obvious to combine Fukunaga with Kim to obtain the invention as specified in claims 1-12.

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukunaga et al in view of Lee.

Re claims 1, 3, 5-7, 9, & 11-12, Fukunaga discloses a printing arrangement (Abstract; Figures 1A-2, 24-25, & 41; column 21, lines 13-54; column 24, line 13 - column 25, line 5)

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in which image data obtained from outside is processed into desired still image data under the control of a computer 103 executing a stored program and converted to hard copy output by a printer 102. A printing state information request (GetStatus; column 24, lines 27-29) is generated and sent to the printer via the use of a function control protocol (FCP), specifically, the AV/C protocol, and in response printing state information is generated by the printer and transmitted to the computer. Communication between the computer and printer are sent over an IEEE 1394 interface (and thus the commands and image data so communicated are necessarily in the form of IEEE 1394 packets).

Re claims 2, 4, 8, & 10, Fukunaga does not specify the sequence in which available commands are transmitted. The recitation of claims 2, 4, 8, & 10 would be met in any case where a sequence of commands is transmitted including a GetStatus command followed later by a PrintStart command (column 24, line 32), PrintStop command (column 24, line 34), or image data sequence.

Fukunaga does not disclose the display of printing status or the specific inclusion of a printer jam indication as part of the printing status information. The detection, communication, and display to a user of a printer jam indication is well known in the art as disclosed for example by Lee (column 4, lines 62-

64). The use of such a printer jam indication and display in Fukunaga (at the computer 103, which is where the user would be located, as indicated by the fact that computer 103 is the location of the keyboard used for user input) in order to prevent the user from wasting time by sending unprintable jobs and to alert the user of the need to correct the paper jam would be an expedient obvious to one of ordinary skill in the art.

Therefore, it would have been obvious to combine Fukunaga with Lee to obtain the invention as specified in claims 1-12.

Response to Arguments

Applicant argues (Response filed 12/6/05: page 11, line 14 - page 13, line 4) that the references, taken individually or together, do not teach or suggest presenting the a user the printing state in accordance with the printing state information on an image processing apparatus, including information indicative of a paper jam.

As noted above, Fukunaga discloses the elements of communicating printing state information from a printing device to an image processing apparatus in response to a request. Kim and Lee each disclose the elements of including paper jam indication in printer state information and displaying a message indicating this information to the user. As further noted above, in applying this teaching to Fukunaga, the display would

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necessarily occur on the screen of the image processing apparatus (the computer 103), as Fukunaga indicates (by the presence of the keyboard for user input at computer 103) that this is the expected location of the user of the Fukunaga apparatus.

Re claims 2, 4, 8, & 10, Applicant argues (Response filed 12/6/05: page 13, lines 10-11) that these dependent claims are allowable for the same reasons as their parent claims and (page 13, lines 12-14) for their additional recitations.

Applicant's arguments re the parent claims 1, 3, 7, & 9 have been addressed above.

Applicant's arguments re the additional recitations of claims 2, 4, 8, & 10 fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Conclusion

4. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application or proceeding or any inquiry of a general nature concerning

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application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300 (as of July 15, 2005).

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.


Stephen M. Brinich
Examiner
Technology Division 2625

smb
February 15, 2006